

**Amendments to the Drawings:**

The attached replacement drawing sheets provide formal drawings to replace the provisional drawings in the application.

Attachment: Replacement Sheets

**REMARKS**

Claims 1-7 are pending in this application. By this Amendment, Figs. 1-6 and claims 1, 2 and 7 are amended. No new matter is added by this Amendment. Support for added claim language can be found in the specification at least at page 5, lines 29-30 and in Figs. 4-6.

**I. The Drawings Satisfy Formal Requirements**

The Office Action objects to the drawings as failing to comply with 37 C.F.R. §1.121(d). Replacement drawing sheets are corrected to obviate the objection. Withdrawal of the objection of drawings is respectfully requested. Claims 1-9 are pending. Reconsideration based on the following remarks is respectfully requested.

**II. Double Patenting Rejection**

The Office Action rejects claim 1 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 9 of U.S. Patent No. 5,945,054 in view of Roberts (U.S. Patent No. 4,193,962). The rejection is respectfully traversed.

The Office Action asserts that claim 9 of the '054 Patent teaches all of the features presented in claim 1 of the present application except for "a line through the center of the spinning field and perpendicular to the upper sides of the plates... located at a distance (d) from a parallel line through the center of the slot, wherein the line through the center of the spinning field has a smaller distance to the edge of the other of the plates than to an edge of the one of the plates." The Office Action further asserts that the '962 Patent takes the aforementioned missing feature, describing an analogous method of spinning wherein for the purpose of reducing vortexing, fused filaments and spin brakes, the '962 Patent provides an upward shift in the guides/plates so that adjacent edges of adjacent openings are at different levels, as in claim 9 of the '054 Patent, and further provides a lateral shift of the guides/plates such that a line through the center of the spinning field and perpendicular to the upper sides of

the plates is located at a distance (d) from a parallel line through the center of the slot, wherein the line through center of the slot has a smaller distance to the edge of the other of the plates than to the edge of the one of the plates.

The Office Action notes that a substantial difference between the presently claimed combination of features and the '054 Patent resides in the distance "d" between the center line of the spinning field and the slot (diaphragm). The Office Action attempts to combine the teaching of the '054 Patent and the '962 Patent to construe an obviousness-type double patenting rejection. However, '962 Patent does not teach an air gap spinning method, rather it teaches an unrelated melt spinning process. Thus, the '962 Patent teaches an unrelated method of spinning that is unsuitable for the anisotropic aramid polymer of the presently claimed combination of features.

Specifically, the '962 Patent teaches spinning of thermoplastic components, more particularly polypropylene, which is coagulated in its molten state. Aramid, however, is not in the molten state, but dissolved in a solvent such as sulfuric acid or NMP/calcium chloride. The person of ordinary skill in the art would not be motivated to combine the '962 Patent with the '054 Patent, which describe different spinning techniques. Furthermore, even such unrealistic combination does not at all lead to the presently claimed combination of features.

Moreover, it appears that the Office Action compares the openings between guide bars 18-22 of the '962 Patent with the diaphragm of the present application. It should be noted, however, that the guide bars only guide the yarn that has already been coagulated. The coagulated yarn thus is guided from bar 18, via bars 19-22, to the outlet 44. The yarn is thus not guided through the holes between the bars, but over the bars to outlet aperture 44. Moreover, there is not the slightest indication that these openings are at a distance (d) from the spinning field.

In contrast, the presently claimed combination of features provides a diaphragm through which the yarn is guided. Diaphragm 5 of the present application may be comparable with outlet aperture 44 of the '962 Patent, rather than to the guide bars. Aperture 44, which due to the different melt spinning technique has another purpose than the slots/diaphragm of the present application, neither has differently positioned upper sides nor is its center shifted with regard to the center of the spinning field. In other words, the '962 Patent does not disclose any features of the present application and also for that reason cannot compensate for the deficient element (d) in the '054 Patent.

Withdrawal of the rejection is respectfully requested.

**III. The Claims Particularly Point Out and Distinctly Claim the Subject Matter**

Claims 1-7 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. The rejection is respectfully traversed.

Claims 1, 2 and 7 are amended to obviate the rejection. Specifically, these claims are amended to more clearly define "edges" as the edges of the slot or diaphragm; clarify the features regarding the upper sides of each of the plates; and remove the indefiniteness of the projections by more clearly reciting that the projections regard vertical projections.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims under the second paragraph of 35 U.S.C. §112.

**IV. The Claims Define Allowable Subject Matter**

The Office Action rejects claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over Meerman et al. (U.S. Patent No. 5,945,054) in view of Roberts (U.S. Patent No. 4,193,962). The rejection is respectfully traversed.

The Office Action, for the same reasons given for the double patenting rejection, asserts that the '962 Patent teaches a method analogous to that taught by the '054 Patent.

Specifically, that the combination thereof makes obvious using distance (d) between the parallel lines through the spinning field in the slot/diaphragm. However, as discussed above, this rejection is erroneously asserted on the assumption that the '962 Patent and the '054 Patent relate to analogous methods of spinning, whereas in fact both describe unrelated spinning techniques i.e., air gap spinning and melt spinning, respectively. A person of ordinary skill in the art would not be motivated to combine the teachings of the '962 Patent and the '054 Patent. Furthermore, the '962 Patent does not disclose the distance (d) between the center of the spinning field and the slot/diaphragm because the '962 Patent is silent on the position of the spinning field, the guide bars 18-22 or the recesses 23 are not comparable to the slot or diaphragm of the present application, and aperture 44, which is much closer for comparison with the slot of the present invention, is not disclosed to have a center that is positioned at a distance (d) of the center of the spinning field.

For reasons including the foregoing, withdrawal of this rejection is respectfully requested.

**V. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:EDM/sqb

Attachment:  
Replacement Drawing Sheets

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